

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:23CR00728 SPM
)	
MICHAEL HOLMES,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Tracy L. Berry, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3142(d).

As and for its grounds, the Government states as follows:

1. Defendant is charged with the non-violent offense of bank fraud, Title 18, United States Code, Section 1344.
2. Pursuant to Title 18, United States Code, Section 3142(g), the weight of the evidence against defendant and defendant's history and characteristics warrant defendant's detention pending trial.
3. The defendant is a risk of flight because he lacks a stable residence or employment, fled when law enforcement attempted to arrest him in July 2023. In addition, Defendant was advised of the warrant when he was stopped by law enforcement officials in Illinois after his flight

from Postal Inspectors. At that time, the municipality was unable to take him into custody as he had a soft cast on his arm. Despite knowing about the warrant, Defendant failed to surrender himself to any law enforcement authority in the Eastern District of Missouri. Defendant continued in his attempt to evade arrest when, on September 20, 2023, he provided a false name and date of birth when stopped pursuant to the warrant by St. Louis County police officers.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

s/Tracy L. Berry
TRACY L. BERRY 014753 TN
Assistant United States Attorney
111 S. 10th Street, Room 20.333
St. Louis, Missouri 63102
(314) 539-2200